

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: : CHAPTER 13  
MICHELE L. AMES :  
Debtor :  
: Case No. 21-12125-elf

**OBJECTION OF GUY ALEXANDER AMES**  
**TO CONFIRMATION OF CHAPTER 13 PLAN**

Guy Alexander Ames, Creditor, by and through his counsel, Jeffrey C. McCullough, Esquire, objects to confirmation of the Debtor's Chapter 13 Plan on the following grounds:

1. In violation of 11 U.S.C. Sec. 1325(a)(7), the action of the Debtor in filing the Voluntary Petition under Chapter 13 of the Bankruptcy Code on July 30, 2021 was not done in good faith. The filing of the petition is part of a fraudulent scheme by Debtor to conceal assets and transfers of property for the purposes of avoiding the division of marital property which was subject to equitable distribution claims in divorce proceedings in the Court of Common Pleas of Bucks County of Pennsylvania under Docket No. A-06-18-6064-DQY-42. This fraudulent scheme to intentionally conceal assets and transfers of property to avoid equitable distribution is summarized in the Report of The Master of the Court of Common Pleas of Bucks County, Lisa Prezelski, Esquire, filed in the Court of Common Pleas of Bucks County on June 8, 2021. A copy of that Report of The Master is attached hereto as Exhibit "A".

In summary, leading up to the Master's Hearing on June 2, 2021, Debtor liquidated an Employee Stock Ownership Plan and received gross proceeds totaling \$152,442. She also liquidated her Wawa 401(k) Plan and received \$21,799. She has failed to account for the disposition of those funds to either the Court of Common Pleas of Bucks County or this Court. No reference to the liquidation of these accounts or the disposition of the proceeds is made anywhere on Debtor's Statement of Financial Affairs. Failure to make these disclosures on the Debtor's Statement of Financial Affairs are false oaths.

2. Debtor's Chapter 13 Plan was not proposed in good faith and in violation of 11 U.S.C. 1325(a)(3) as part of the fraudulent scheme outlined above. The Chapter 13 Plan which proposes to pay a total distribution to general unsecured claims in the total amount of \$2,880.00 is designed to utilize the federal supremacy power of this Court to complete the fraudulent scheme and intentional concealment of assets and transfers of property and to prevent the equitable distribution of marital property in the domestic court proceedings pending in Bucks County. The proposed plan does not take into account the value of assets which were fraudulently transferred and remain concealed.

In addition, Debtor's Chapter 13 Plan fails to take into account her income from employment which commenced soon after the filing of the petition and the Chapter 13 Plan.

3. The Chapter 13 Plan is in violation of 11 U.S. 1325(a)(4) in that the value of the property to be distributed under the plan is far less than the amount that would be paid if the estate of the Debtor were liquidated under Chapter 7. If the estate of the Debtor were liquidated under Chapter 7, the appointed Chapter 7 Trustee would be pursuing various voidable transfer claims in order to recover the \$174,000 in liquidated retirement funds which were fraudulently divested by Debtor. The recovery of those voidable transfers would increase the value of the property to be distributed under the plan by an amount up to \$174,000.

4. Soon after the commencement of this case, Debtor became employed, but has failed to report her current earnings on Schedule I or take those earnings into account in her proposed plan or to deliver proof of those current earnings to the Trustee or in response to Objector's Subpoena to Produce Documents.

5. Debtor has failed to respond to Objector's Subpoena to Produce Documents which has been served upon Debtor and her counsel. A copy of that Subpoena is attached hereto as Exhibit "B".

WHEREFORE, Objector, Guy Alexander Ames request that confirmation of Debtor's Chapter 13 Plan be denied.

/s/Jeffrey C. McCullough  
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